

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Ramco Environmental, Inc.

Petition No. 2005-0218-053-003

CONSENT ORDER

WHEREAS, Ramco Environmental, Inc. of Hartford, CT (hereinafter "respondent") has been issued license number 000018 to practice as an asbestos contractor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, the respondent admits that:

1. In or about December 2003, respondent was the licensed asbestos contractor for an asbestos abatement project at the YMCA of Greater Waterbury, 136 West Main Street, Waterbury, CT (hereinafter "the property"). Said project involved the removal of approximately 4,500 square feet of asbestos containing floor tile and of 530 linear feet of thermal pipe insulation.
2. On or about December 9, 2003, in connection with the asbestos abatement project at the property, respondent:
 - a. failed to properly construct, operate and/or maintain a worker decontamination system, in one or more of the following ways, in that:
 - i) there was no supply of warm water to the shower, in violation of Section 19a-332a-6(a) of the Regulations of Connecticut State Agencies (hereinafter "the RCSA"), in that the portable hot water tank was undersized and/or did not

produce any warm water during the forty-five minutes the Department investigator was on site;

- ii) there was no water pressure to the showerhead, in violation of Section 19a-332a-6(a) of the RCSA, in that when the water supply valve was turned on at the water source, two hose connections at the rear of the shower unit began leaking onto the floor and/or the show nozzle pipe began leaking severely, thereby resulting in no water pressure at the showerhead;
 - iii) a worker exited the work area into the clean room of the worker decontamination system to retrieve supplies and did not first decontaminate himself before doing so, in violation of Section 19a-332a-6(b) of the RCSA; and/or
 - iv) prior to the arrival of the Department's inspector, the work crew had exited the work area for a lunch break and there was no evidence that the workers had first decontaminated before doing so in that the worker decontamination system was bone dry, the water supply valve was off and there was no high efficiency particulate air filter vacuum in the worker decontamination system, in violation of Section 19a-332a-6(b) of the RCSA.
- b. failed to restrict work area access to authorized personnel afforded proper respiratory protection, in violation of Section 19a-332a-5(f) of the RCSA, in that the clarity of the workers' conversations overheard by the Department investigator, who was outside of the work area, indicated that the workers were not wearing their respirators.

3. The above described facts constitute grounds for disciplinary action pursuant to Chapter 400a and §§19a-332 and 19a-332a(b) of the General Statutes of Connecticut, taken in

conjunction with §§19a-332a-1, 19a-332a-2, 19a-332a-5(f), 19a-332a-6, and 20-440-6(b) of the RCSA.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10 and 19a-14 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14 and 19a-17 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives its right to a hearing on the merits of this matter.
2. Respondent's license number 000018 to practice as an asbestos contractor in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two thousand two hundred and fifty dollars (\$2,250.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Within thirty (30) days of the effective date of this Consent Order, respondent shall submit to the Department, at the address identified in paragraph 5 below, checklist(s), together with company guidelines and/or policies, that demonstrate for each asbestos abatement project undertaken by respondent, a project manager and/or supervisor must verify that the requisite equipment is properly set up on a job site and is in good working order at all times that asbestos abatement activities are underway.
5. All correspondence and reports are to be addressed to:

Ron Skomro, Supervising Environmental Sanitarian
Department of Public Health
410 Capitol Avenue, MS #51AIR
P.O. Box 340308
Hartford, CT 06134-0308

6. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
7. Respondent shall pay all costs necessary to comply with this Consent Order.
8. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 8a above to demonstrate to the satisfaction of the Department that it has complied with the terms of this Consent Order or, in the alternative, that it has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, it shall be entitled to a hearing before the Department which shall make a final determination of the disciplinary action to be taken.

- e. Evidence presented to the Department by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
- 9. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Office of Practitioner Licensing and Certification of the Bureau of Healthcare Systems of the Department.
- 10. This Consent Order is effective on the date this Consent Order is accepted and ordered by the Department.
- 11. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Department in which its compliance with this Consent Order or with Chapters 400a or 368l of the General Statutes of Connecticut, as amended, is at issue.
- 12. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
- 13. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that it may have under the laws of the State of Connecticut or of the United States.
- 14. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
- 15. Respondent permits a representative of the Legal Office of the Bureau of Healthcare Systems to present this Consent Order and the factual basis for this Consent Order to the

Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.

16. Respondent has the right to consult with an attorney prior to signing this document.
17. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.

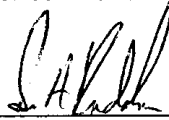
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I, Scott Rudder, Vice President of Ramco Environmental, Inc., have read the above Consent Order, and I represent and warrant that I am fully authorized and empowered to bind said company. I hereby stipulate and agree to bind Ramco Environmental, Inc. to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



Scott Rudder, Vice President

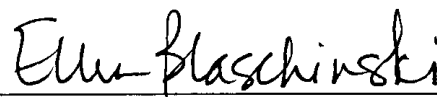
Subscribed and sworn to before me this 12th day of May 2005.



Notary Public or person authorized
by law to administer an oath or affirmation

My Commission Expires 3/31/09

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 19th day of May 2005, it is hereby accepted.



Ellen Blaschinski, Director
Division of Environmental Health
Bureau of Regulatory Services

s:lfr/Ramco/CO2